REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	18 December 1997
Name of applicant/court:	G A Moonen
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Folder Marked MO4 Strip 3, Photo 3, Negative No. 13, Board No. 58
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Photographic Image
Country of Origin:	Not Stated
Language:	Not Applicable

Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

Classification Decision:

Unrestricted.

… Please turn over

Display conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

A postcard entitled *La Passion de Gilles*

A book entitled *The Seventh Acolyte Reader* (The Acolyte Press, Amsterdam, 1992)

296 Photographic Images as specified in Decision 4/97

Having considered the criteria contained in s. 3 of the Act, and in particular ss. 3(2)(a) and 3(3)(b), the Board found that the availability of the book entitled *The Seventh Acolyte Reader* and the photographic images numbered by the Board as 7, 8, 9, 41, 43, 44, 61, 62, 63, 74, 75, 78, 79, 80, 81, 83, 84, 86, 87, 89, 90, 91, 92, 93, 124, 125, 126, 127, 128, 129, 134, 135, 136, 138, 139, 141, 142, 143, 144, 149, 150, 151, 152, 153, 154, 155, 156, 157, 163, 164, 165, 166, 167, 168, 170, 171, 172, 175, 176, 272, 273, 276, 277, 278, 280, 281, 283, 284, 286, 287, 288, 289, 290, and 291 are likely to be injurious to the public good and are classified as “objectionable”. The manner in which some of the naked children were depicted was exploitive of their nudity. Those photographs which were close-ups of a child’s genitals or anus, and those in which the photographer has taken the photograph from below or from an angle which emphasised the genital area, were exploitive of the child’s nudity because rather than depicting simply a naked child, the viewer’s attention was drawn to the child’s genital or anal area. The child’s nudity was consequently exploited, or taken advantage of, by the photographer’s emphasis in composing such shots. The remaining publications are classified as “unrestricted”.

The Board decided that each photographic image had to be classified separately. The juxtaposition of images on proof sheets and strips was made by agencies unknown to the Board, whereas the applicant said that he had created all of the individual images except those on what is known as the “Swiss Roll”. The Board decided that its approach also removed the possibility of inconsistent classification of identical images.

One member of the Board issued a dissenting opinion with respect to the classification of the postcard.

OFLC Ref: 9701591